**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929**

**WP(C).No. 6959 of 2004(C)**
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**PETITIONER:**
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**P.K.POULOSE,**
**PARAPPURATHU HOUSE, V. VENGOLA P.O.,**
**ERNAKULAM DISTRICT.**

**BY ADV. SRI.G.PRABHAKARAN**

**RESPONDENTS:**
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1. **THE ADDL. DISTRICT EXECUTIVE OFFICER,**
   **KERALA MOTOR TRANSPORT WORKERS WELFRE FUND BOARD,**
   **ERNAKULAM.**

2. **GOVERNMENT OF KERALA,**
   **REPRESENTED BY THE COMMISSIONER AND**
   **SECRETARY TO LABOUR DEPARTMENT, THIRUVANANTHAPURAM**

3. **THE DISTRICT COLLECTOR, ERNAKULAM.**

4. **THE TAHSILDAR (REVENUE RECOVERY),**
   **KUNNATHUNADU TALUK, PERUMBAVOOR.**

**ADDL.R5 IMPLEADED**

5. **SRI.T.V.CHERIYAN, THEKKEVEETTIL,**
   **IRINGOLE. IMPLEADED AS PER ORDER DT. 1.3.04 IN IA. NO.2888/2004**

**BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD**
**BY GOVERNMENT PLEADER SMT.K.R.DEEPA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO.6959/2004**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE FINAL DETERMINATION ORDER DT. 12.12.02.**

**EXT.P2:- COPY OF THE FINAL DETERMINATION ORDER DT. 16.12.02.**

**EXT.P3:- COPY OF THE APPEAL MEMORANDUM DT. 20.2.03.**

**EXT.P4:- COPY OF THE ORDER OF THE 2ND RESPECTIVELY WITH ITS NO.GO(Rt) NO.270/04/LBR DT. 27.1.04.**

**EXT.P5:- COPY OF THE RECEIPT DT. 16.7.1994.**

**EXT.P6:- COPY OF THE RECEIPTS DT. 16.7.94 .**

**/TRUE COPY/**

**tss**

KURIAN JOSEPH J.

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W.P.(C) No.6959 of 2004

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Dated 20th June, 2007.

J U D G M E N T

Petitioner is aggrieved by the proceedings initiated under the provisions of the Kerala Motor Transport Workers Welfare Fund Act. It is seen that the petitioner has pursued all available remedies. Though several contentions are taken in the writ petition, faced with a situation of rejection of all those contentions, learned counsel for the petitioner made a submission that the petitioner may at least be permitted to pay the balance in instalments. Accordingly, the writ petition is disposed of making it clear that the petitioner shall be permitted to pay the outstanding dues in ten equal monthly instalments, starting from the month of July, 2007. Instalments shall be paid before the 30th of every month. In case there is default in paying two consecutive instalments, it will be open to the respondents to recover the amount in lump.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

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O.P. NO. OF 200

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**J U D G M E N T**

**Dated 20th June, 2007.**